

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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S.W., by her parent and natural guardian, J.W.,
individually and on behalf of all others similarly
situated; A.W., by her parent and natural guardian
A.W., individually and on behalf of all others similarly
situated; B.F., by his parent and natural guardian, P.F.,
individually and on behalf of all others similarly
situated; J.F. and P.F., by their parent and natural guardian,
A.F., individually and on behalf of all others similarly
situated; L.T., by her parent and natural guardian, R.T.,
individually and on behalf of all others similarly situated,

**NOTICE OF
MOTION
TO DISMISS**

Civ. Action No.
07 CIV 5708 (WCC)

Plaintiffs,

- against -

SHEILA WARREN, sued individually, and as
Director of Early Intervention Services for Orange County,
ORANGE COUNTY DEPARTMENT OF HEALTH,
COUNTY OF ORANGE,

Defendants.

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PLEASE TAKE NOTICE, that upon the Complaint dated June 15, 2007, the annexed declaration of Sharon N. Berlin, dated October 16, 2007 and the exhibits attached thereto and the accompanying Memorandum of Law and the pleadings and proceedings heretofore had herein, the undersigned will move this Court, before the Honorable William C. Conner at the United States Courthouse located at 300 Quarropas St., Room 630, White Plains, New York 10601 on November 13, 2007 at 9:30 a.m. or as soon thereafter as counsel can be heard for an Order pursuant to Rule 12(b)(1) and (6) of the Federal Rules of Civil Procedure granting defendants' motion to dismiss the Complaint, and for such other and further relief as the Court deems just and proper.

PLEASE TAKE NOTICE, that in accordance with Judge's scheduling order, the plaintiffs' opposition is required to be served on or before October 26, 2007.

Dated: Melville, New York
October 16, 2007

Yours, etc.

LAMB & BARNOSKY, LLP

By: 

Sharon N. Berlin

Attorneys for Defendants

SHEILA WARREN, ORANGE COUNTY
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COUNTY OF ORANGE
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